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# VOLUNTEERS IN THE COURTS *News*

## Spring 2000

### Impact Panel Cuts Drunken Driving

A new study shows that Outagamie County's Victim Impact Panel is decreasing recidivism rates for drunken driving offenses. While it is well known that alcohol impairs a person's ability to drive safely, drunken driving remains a serious problem. Wisconsin Department of Transportation statistics show that alcohol figured into the vehicle-related deaths of almost 400 people in the state in 1998. Victim Impact Panels (VIPs), an alternative sanction that was made available to Wisconsin courts in 1993, are one way to address this persistent problem.

In Outagamie County, where VIPs have been operating for four years, the court orders second-offense drunken drivers to attend a VIP. Mothers Against Drunk Driving (MADD) helps the Outagamie program identify potential volunteer panelists. In some counties, law enforcement agencies, hospital staff, and district attorneys' offices, among others, help find panelists.

During the one-hour session, victims of drunken driving accidents talk about how a drunken driver changed their lives. The sessions, which are very emotional, allow victims to share their personal stories without accusing or directing anger towards the offenders. According to *Victim Impact Panels: A Reference Manual*, a VIP can be beneficial to the victims as it helps them express their feelings, and may make them feel less helpless. The goal is to overcome anger and denial and get the offenders to take responsibility for their actions.

Leona Whitman, an independent evaluator and former research assistant at the University of Wisconsin-Oshkosh, compared the recidivism rates of second-offense drunken drivers in Outagamie County with those in neighboring Winnebago County, which does not have a VIP program. Volunteers in Offender Services contracted with Whitman to conduct the study. To maintain her role as an unbiased evaluator, Whitman did not attend any VIP sessions.

The study compared subsequent drunk driving arrests of 150 two-time offenders in Outagamie County who attended a VIP with arrests of 175 two-time offenders in Winnebago County. In the Outagamie group, 22 people, or 14.7 percent, were convicted of a third offense, while 69 people, or 39.4 percent, in the Winnebago group were convicted on a

third offense.

Although Whitman recommends additional evaluations of the program to confirm these findings, she agrees that VIPs seem to be working in Outagamie. "[The Victim Impact Panel] adds a component of ethical/social responsibility, which is intended to enhance and supplement current conventional sanctions," Whitman wrote in her report.

Outagamie County Circuit Court Judge John A. Des Jardins started the Outagamie VIP program in 1996. He sees the program as a form of restorative justice, where offenders are held accountable to their victims and their communities. "The goal is to share the pain and anguish of what has happened [with the offenders]," Des Jardins said.

Evaluations of offenders who have participated in a panel show a realization of the potential consequences of their actions, a new understanding of the impact they can have on other people, and an appreciation of the panel members for candidly sharing their tragic stories. "I think everyone who has a OWI should attend," said one participant.

Victim Impact Panels are also active in Marquette, Monroe, Oneida, Sauk, and Waukesha Counties. Jefferson County will start its VIP program in June and Barron County plans to include VIPs in their Restorative Justice Project.

*For more information about Outagamie County VIPs, contact Des Jardins at (920) 832-4727. Contact Whitman at (920) 739-7456 with questions regarding study methodology and results. Victim Impact Panels: A Reference Manual was published by the University of Wisconsin Law School Resource Center on Impaired Driving in cooperation with the Wisconsin Department of Transportation. To request a copy, contact the Resource Center at (800) 862-1048*

### **The Man in the Red Shirt**

*by: Judge Marianne T. Becker  
Waukesha County Circuit Court*

*Be prepared for some failure, but don't let that stop you. In the first Waukesha County VIP, 39 individuals were ordered to attend the program. On the night of the program, 11 of them failed to appear. However, 52 people filled the room, 28 court ordered and 24 others who had heard of this program. We began promptly at 7 p.m. As judge and moderator, I joined the victims at the table. In front of me sat a roomful of serious minded offenders and interested individuals. They appeared to listen intently to the victims. As the stories were told, some offenders cried openly.*

*A man in a red shirt caught my eye ....He was very blond, and while his vivid red T-shirt was striking, it was his facial expression and body*

*language that were remarkable. His arms were folded across his chest, and his eyes were fixed on a spot behind the victims. His expression never varied. His demeanor suggested that while he was physically present in the room, his mind was somewhere else. He could not have appeared less involved. I concluded that for him the program was a failure.*

*The victims told their stories, and when they were done, I asked if there were questions. There were a few. In closing, I made a brief announcement, including, "Change your behavior, do not drink and drive."*

*The offenders handed in their evaluations and most left. A few lingered to greet the victims and to offer personal condolences. I was transfixed, absolutely stunned, when the first person out of his seat to come to the victims was the man in the red shirt. I stayed within earshot to hear what he said. He expressed to both victims his sadness at their loss, said he also had daughters, and stated his new resolve never to contribute to the loss of a child as had happened in both the victims' lives. He told them how personally sorry he was. He hugged one of the victims and left.*

*Edited excerpt from Victim Impact Panels: ARefc*

## **Dane County Proclaims CASA Day**

Dane County Executive Kathleen Falk proclaimed April 6 Dane County CASA Day. The event was in honor of National Child Abuse Prevention and Awareness Month. CASAs, Court Appointed Special Advocates, are volunteers who serve as the eyes and ears of the court. They observe the environments and relationships of children who allegedly have been abused or neglected and report their findings to the court. The CASA does not replace the guardian *ad litem* (GAL) or social worker, but instead serves as another source of information for the GAL, social worker, and judge.

The Dane County program started in 1995. Dane County Circuit Court Judge Michael N. Nowakowski, who spoke at the ceremony, said: "I now wonder how we got along without [them]."

*For more information about the Dane County CASA, contact Director Marcia L. Varvil-Weld or Assistant Coordinator Elaine Creager at (608) 221-3511*

## **Courts to Volunteers: Thank You!**

The Wisconsin court system is fortunate to have more than 5,000 volunteers assisting in the work of justice. Volunteers make more services possible. They give a child a voice in a crowded courtroom. They teach young people about responsibility and about being good citizens. They guide unrepresented litigants to the forms they need. They help victims heal. They direct people to the right courtroom or office. They

help resolve conflicts. They tutor young people and help adults get their high school equivalency diplomas. They advocate for positive changes in the justice and corrections systems. They provide research assistance for judges. They help the courts better serve their communities.

The Volunteers in the Courts initiative was started in 1996 to promote awareness of the work of volunteers in the court system, to help volunteer groups network with one another, and to encourage the replication of successful programs throughout the state. Since that time, more than 150 court-related volunteer programs have been identified. Each quarter this page highlights a new or thriving program with the hope that additional programs will emerge and established programs will be rejuvenated by fresh ideas and renewed interest.

The Wisconsin judiciary greatly appreciates the work volunteers do each day in helping the state court system better meet the needs of the people. Thank you.

## Volunteer Opportunities

**The National Teen Court Conference** will be held Oct. 22-24 in Albuquerque. In addition to providing participants an opportunity to network with teen court staff and leaders from around the country, the conference will offer more than 30 workshops on topics such as volunteer training and recruitment, and teen court evaluation. Adults and teens are invited to attend. For more information visit the National Youth Court Center's Web site at [www.youthcourt.net](http://www.youthcourt.net) or call (606) 244-8209.

**Chicken Soup for the Volunteer's Soul.** A new book is being added to the best-selling series *Chicken Soup for the Soul*, by Jack Canfield, Mark Victor Hansen, and others. The book will be a tribute to people who volunteer their time and talents to help others. The authors welcome submissions of stories, poems, and cartoons. For more information, contact co-author Arline T. Oberst by mail at PO Box 247, Essex Fells, NJ 07021-0247; by fax at (973) 226-8825; or by e-mail at [Arline\\_O@aol.com](mailto:Arline_O@aol.com).

**To find out about volunteer opportunities in your community**, contact Colleen Flesher, program assistant to the Wisconsin Supreme Court, at (608) 266-1298, or by e-mail at [colleen.flesher@courts.state.wi.us](mailto:colleen.flesher@courts.state.wi.us).

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